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1942.

File No. Pub. Trust Regis. II/42

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Legal DEPARTMENT

B BRANCH

Subject:— p. 3 & E

Rules and Notifications

under the

Public Trust Registration

Act, 1935.

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No.

Revenue Department,

Bombay Castle, 1942.

Subject: as at p. 195.

Memo.

The undersigned presents compliments to the First Class Subordinate Judge and Registrar of Public Trusts, Surat, and with reference to his letter No.23, dated the 20th April 1942, is directed to state that section 14 of the Bombay Public Trusts Registration Act, 1935 (Bom. XXV of 1935) and section 15 of the Parsi Public Trusts Registration Act, 1936, (Bom. XXVIII of 1935) provide for contributions to be made to the Public Trusts Administration Fund and the Parsi Public Trusts Administration Fund, respectively. The provisoes to both these sections provide that the contributions prescribed under the said sections shall be fixed at rates in proportion to the gross income of the public trust. According to the view taken by the High Court, the expression "gross income" means the gross income receivable and not actual receipts realised. Under rule 18 of the Bombay Public Trusts Registration Rules, 1937 and of the Parsi Public Trusts Registration Rules, 1937 it will not therefore, be possible to levy the contributions on the actual income recovered during the year. Such contributions should be levied on gross annual income receivable.

By order of the Governor of Bombay

Under Secy. to Government.

B.R.S. 28/4.

Office of the R.L.A.

A revised draft memorandum to seat herewith, which may be substituted for the Revenue Department draft at page 103.

Sd/-P.N.M. 10/8/42.
Remembrancer of Legal Affairs.

U.R. to R.D., No.6489, dated the 11th August 1942.

D.K.S. 23/4.